

**JOINT STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS  
AND  
COMMISSIONER JONATHAN S. ADELSTEIN,  
APPROVING**

*Re: The 2002 Biennial Regulatory Review*

We approve the Order because it recognizes that Section 11 requires a two-step process. First, as the statute states, the Commission must determine if there is meaningful competition in the relevant market. The Order correctly notes, however, that “the mere presence of meaningful competition will not always lead us to conclude that repeal or modification of a rule is in the public interest. Rather, our task is to determine whether the competitive environment has changed such that the rule is no longer meaningful, *i.e.*, is not needed to further the public interest.” In addition, the Order concludes that the public interest standard must be interpreted to mean the traditional Commission public interest standard, and does not require a heightened justification.

Furthermore, we view the attached Bureau reports as recommendations from that Bureau as to whether we should retain, modify, or repeal specific rules. Our approval of this item does not suggest a certain position as to the recommendations of the staffs of the respective Bureaus. We reserve our right to address these issues as they are presented to us in the proceedings that will manifest themselves as a result of this Biennial Review proceeding.